The Cochin Agriculturists' Temporary Relief Bill.

Mr. K. M. Ibrahim.—Mr. President, Sir, I rise to move that the Agriculturists' Temporary Relief Bill be read in Council. This measure is very well known administratively already and I do not think there is much to explain. I hope the Government are not going to oppose this. If they do not I do not want to make a speech. If the Hon'ble Law Member will give some idea about the attitude of the Government in this matter I shall be highly obliged to him.

Mr. Thomas Manjuran.—Government cannot accept the bill.

* മിസ്റ്റർ കെ. എം. ഇബ്രാഹിം.— മിസ്റ്റർ പ്രസിഡണ്ട്, സർ, ഒരു ഭ്രപണയബാങ്കു സ്ഥാപിച്ചതു മൂലവും മറു പല തരങ്ങളിലുമായി മഹാരാജാവു തിരുമനസ്സിലെ ഗവമ്മെൻറു കർഷകന്മാർക്കു ചെയ്തിട്ടുള്ള സഹായങ്ങളെ ഞങ്ങൾ വിസ്മരിക്കുന്നില്ല. കുറെക്കൂടി ചെയ്യുതരണമെന്നതാണു് ഈ ബില്ലിൻേറയും ഇതു സംബന്ധമായുള്ള ഞങ്ങളുടെ പ്രവൃത്തികളുടേയും ആവശ്യം. ഇപ്പോൾ രോഗത്തിന്നു പറ്റിയ ചികത്സയായിട്ടില്ല. കുറെക്കൂടി ചികത്സ ചെയ്യണം. രോഗിയുടെ നില വിഷമകരമായതുകൊണ്ടു് ഇപ്പോഴത്തെ ചികത്സ മതിയാകുന്നില്ല. അതുകൊണ്ടു കുറെക്കൂടി നല്ല നിലയിൽ ചികത്സിക്കണമെന്നു് ആവശ്യപ്പെടുകമാത്രമേ ഈ ബില്ലുമൂലം ചെയ്യുന്നുള്ളൂ. ബഹുമാനപ്പെട്ട അനുദ്യോഗസ്ഥന്മാരുടെ അഭിപ്രായം ഈ കാര്യത്തിൽ, വാസ്തവത്തിൽ പലപ്പോഴും ഈ നിയമസഭയിലും പുറത്തും അവർ വെളിവാക്കീട്ടുണ്ടു്. കഴിഞ്ഞ നിയമസഭയിൽ ഇതിനെസംബന്ധിച്ചു അനുദ്യോഗസ്ഥ പക്ഷത്തുനിന്നും ഒരു പ്രമേയം കൊണ്ടുവന്നതിൽ നിന്നതന്നെ വാസ്തവത്തിൽ ഈ നിയമസഭയിലെ ഭ്രരിപക്ഷം പൊതുജനാഭിപ്രായവും ഈ പ്രമേയത്തിന്നുവേണ്ടിയായിരിക്കുന്നു എന്നും നാം കണ്ടുകഴിഞ്ഞു. ഇതിനുംപുറമെ ഈ കൌൺസിലിൽക്കൂടിയല്ലാതെ ഈ നിയമസഭയിലെ ഭ്രരിപക്ഷം അനുദ്യോഗസ്ഥന്മാർ ഒപ്പിട്ടിട്ടുള്ള ഒരു മെമ്മോറാണ്ടം നാമെല്ലാവരും ഗവമ്മെൻറിനു സമർപ്പിച്ചുകഴിഞ്ഞു. അതുകൊണ്ടു ഞാൻപറയുന്നതു് ഈ ബില്ലിനു അനുക്രലമായ ഒരു അന്തരീക്ഷമാണു് ഇപ്പോൾ ഉള്ളതു് എന്നാണു്.

എനിക്കു പ്രധാനമായി ഈ ബില്ലിനെപ്പറ്റി പറയാനുള്ള സംഗതി ഈ കാര്യത്തിൽ ഇതുവരെ ഗവമ്മെൻറു ചെയ്തതായ സഹായങ്ങൾകൊണ്ടു പറയത്തക്ക യാതൊരു പ്രയോജനവും കർഷകലോകത്തിന്നു് ഉണ്ടായിട്ടില്ല എന്നുള്ളതാണു്. അതുകൊണ്ടു ഞങ്ങളുടെ ഭാരം ഗവമ്മെൻറിൻേറ പ്രവൃത്തിയുടെ ഫലം പോര എന്നു അറിയിക്കുക മാത്രമാണു്. ഭ്രസചത്തു ബാങ്കിൽനിന്നു കാര്യമായ ഒരു സംഖ്യ, കടംകൊണ്ടു കഷ്ടപ്പെടുന്ന കർഷകലോകത്തിന്നു കൊടുക്കാതിരിക്കുന്നിടത്തോളം കാ

* Speech not corrected by the Hon'ble Member.

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ലം—അതിന്റെ പ്രവർത്തനം ശരിയായി നടന്നുതുടങ്ങുന്നതുവരെ—ഇ ങ്ങിനെയുള്ള ഒരാശ്വാസം അവർക്ക് കൊടുക്കേണ്ടതാണെന്നാണ് ഞാൻ ഈ ബിൽകൊണ്ടു സ്ഥാപിക്കുവാൻപോകുന്നത്. ഭ്രസ്വത്തു ബാങ്കിൽ നിന്നു കർഷകന്മാർക്ക് രക്ഷചെയ്യുവാൻ സാധിച്ചു എന്നുവന്നാൽതന്നെ, അതു ഇന്നോ നാളെയോ മറ്റെന്നാളോ കൊടുക്കുവാൻ സാധിക്കുകയില്ല. കുറെ കാലതാമസം വേണ്ടിവരുമെന്നു തീർച്ചയാണ്. അതുകൊണ്ടു ഭ്രസ്വത്തു ബാങ്കു നടപ്പിൽവരുന്നതുവരെ അവർക്ക് ഒരു രക്ഷചെയ്യുന്നതിനു മാത്രമാണ് ഈ ബിൽകൊണ്ടു ആവശ്യപ്പെടുന്നത്.

പിന്നെ, ഇതിനെ സംബന്ധിച്ചു വേറെ ഒരു സംഗതികൂടി എന്റെ ബഹുമാനപ്പെട്ട സഹപ്രവർത്തകന്മാർ ആലോചിക്കണം. ഈ ഭ്രസ്വത്തു ബാങ്കിലേക്ക് അപേക്ഷകർ അയച്ചിട്ടുള്ള എത്രപേർക്ക് ഇതുകൊണ്ടു ഉപയോഗം ഉണ്ടാകുമെന്നു, ഈ നാട്ടിലെ കടക്കാരായ കൃഷിക്കാരിൽ ചുരുക്കം ആളുകൾക്കേ ഇതുകൊണ്ടു ഉപയോഗപ്പെടുകയുള്ളൂ. അതായതു് ഇന്നു കടംകൊണ്ടു വിഷമിക്കുന്ന കർഷകന്മാരിൽ കുറച്ചു ശതമാനത്തിനു മാത്രമേ ഗുണമുള്ളൂ. വാദം സമ്മതിച്ചാൽപോലും ഒരു വലിയ വിഭാഗം കടക്കാർക്ക് ഇനിയും ഭ്രസ്വത്തു ജാമ്യബാങ്കുകൊണ്ടു ഗുണമുണ്ടാകുന്നില്ല. അവർക്കുംകൂടി ഉപകാരം വരണമെന്നുണ്ടെങ്കിൽ നിയമസഭയിലെ ആലോചനക്കു ഇതിനുമുമ്പു കൊണ്ടുവന്നിട്ടുള്ള കർഷക ഋണവിമോചന പദ്ധതി നടപ്പിൽ വരാതെ നിവൃത്തിയില്ല.

പിന്നെ എനിക്കു പറയുവാനുള്ളതു് ഈ ബിൽ ഗവർമ്മെൻറു സ്വീകരിച്ചു നടപ്പിൽ വരുത്തുകയും അതനുസരിച്ചു ഭ്രസ്വത്തു ബാങ്കു പ്രവർത്തിക്കുകയും രണ്ടും ഒന്നിച്ചു നടന്നാൽ മാത്രമേ കർഷകലോകത്തിനു രക്ഷയാകയുള്ളൂ എന്നാണ്. അതുകൊണ്ടു് ഈ രണ്ടു കാരണങ്ങൾകൊണ്ടും ഈ ബില്ലു് ഇവിടെ പാസ്സാക്കണമെന്നാണു ഞാൻ പറയുന്നതു്. ഭ്രസ്വത്തു ബാങ്കു് ഇതുവരെയും അതിന്റെ പരിപൂർണ്ണമായ പ്രവൃത്തിയിൽ വന്നിട്ടില്ല. മദ്ധ്യസ്ഥബോർഡും നടപ്പിൽ വന്നിട്ടില്ല. അതു് ഇപ്പോൾ നിയമഗർഭത്തിൽ ഇരിക്കുന്നതേയുള്ളൂ. അതുകൊണ്ടുതന്നെ ഒരു താല്ക്കാലികരക്ഷ കർഷകന്മാർക്കു ചെയ്യേണ്ടതായ അത്യാവശ്യം വന്നിരിക്കുന്നു എന്നു മനസ്സിലാകുന്നതാണ്. അതുകൊണ്ടു ഇതിനെ സംബന്ധിച്ചു് കൂടുതലായ ഒരു വാദപ്രതിവാദംകൊണ്ടോ വലിയ പ്രസംഗങ്ങൾകൊണ്ടോ സമർത്ഥിക്കേണ്ട കാര്യമില്ല.

ഉല്പന്നങ്ങളുടെ വിലക്കുറവുകൊണ്ടും മറ്റും നൂറുക്കു മുന്നൂറുകണ്ടു കർഷകന്മാരുടെ കടംവർദ്ധിച്ചിട്ടുണ്ട്. കൊച്ചീ സംസ്ഥാനത്തിലെ ഒരു വില്ലേജിൽ പത്തുകൊല്ലംകൊണ്ടു ഏഠം പട്ടയദാരന്മാർ നാമാവശേഷമായിപ്പോയി എന്നു നമ്മുടെ റവന്യൂമെമ്പർതന്നെ സമ്മതിച്ചിട്ടുണ്ട്. അതുകൊണ്ടു് ഈ ബിൽ പാസ്സാക്കുന്നതായാൽ കർഷകന്മാരിൽ ഭൂരിപക്ഷത്തിനും വളരെ പ്രയോജനകരമായിരിക്കുമെന്നാണു ഞാൻ പറയുന്നതു്. ഈ ബിൽ കടം വെട്ടിച്ചുരുക്കണമെന്നോ ഉല്പന്നങ്ങളുടെ വിലയ

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നസരിച്ചു താരിപ്പു ശരിപ്പെടുത്തണമെന്നോ ഒരു വിപ്ലവകരമായ പരിപാടിയൊന്നും അല്ല. കാലത്തെ സംബന്ധിച്ചിടത്തോളം മാത്രമേ ഈ ബിൽ ബാധകമാകയുള്ളൂ. ഇപ്പോൾ കർഷകന്മാർ അധഃപതിച്ചു കൊണ്ടിരിക്കുന്നു, പട്ടിണിയായിരിക്കുന്നു, പലിശയ്ക്കു യാതൊരു താരിപ്പുമില്ലാതെ അവർ വിഷമിച്ചുകൊണ്ടിരിക്കുന്നു. അതുകൊണ്ടു അവർക്കു ഒരാശ്വാസമായിട്ട്, തല്ക്കാലികമായി, ഈ ഒരു രക്ഷചെയ്തുകൊടുക്കണമെന്നാണു ഞാൻ പറയുന്നതു്. ഇതു പണവ്യാപാരികൾക്കും മറും യാതൊരു ആക്ഷേപത്തിനും ഇടയില്ലെന്നാണു ഞാൻ വിചാരിക്കുന്നതു്.

ഒരു സംഗതിമാത്രം ഞാൻ വളരെവിനീതമായി എന്റെ ബഹുമാനപ്പെട്ട സാമാജികന്മാരെ ഉണർത്തിച്ചുകൊള്ളുന്നു. എം. എൽ. സി. പദവും നേടി ഇവിടെ വന്നിരിക്കുന്നതു പൊതുജനങ്ങളുടെ കാര്യം ഗവർമ്മെൻറിനെ അറിയിക്കുവാനാണു്. എം. എൽ. സി. എന്നു പറഞ്ഞാൽ പൊതുജന ശുശ്രൂഷകൻ എന്നാണു്. ആ പൊതുജന ശുശ്രൂഷകൻ എന്ന മുദ്രണം വച്ചുകൊണ്ടാണു നാം ഇന്നിവിടെയിരിക്കുന്നതു്. നമ്മുടെ സ്വന്തം കാര്യത്തെ പാലിക്കുവാൻ വേണ്ടിയല്ല പൊതുജനങ്ങളും നമ്മെ തിരഞ്ഞെടുത്തയച്ചിട്ടുള്ളതു്. അതിനാൽ നാം വെറുതെ കസാലമുടക്കികളും കൈപൊക്കികളും ആകാതെ ഭൂരിപക്ഷത്തിനുവേണ്ടി ന്യൂനപക്ഷങ്ങളുടെ താല്പര്യങ്ങളെ ബലികഴിക്കണം; അങ്ങിനെയുള്ള ഒരു മാനദണ്ഡം മാത്രം വച്ചുകൊണ്ടു ഇതിനെ എല്ലാവരും അനുകൂലിക്കണം എന്നു ഞാൻ ഏറ്റവും വിനീതനായി അപേക്ഷിച്ചുകൊള്ളുന്നു.

Mr. C. S. Viswanatha Ayyar.— Mr. President, Sir, I regret very much that I have to oppose the introduction of this Bill and the grounds for my opposition are based on experience we had over the existence of the Royal Proclamation of 13th Karkiagom 1110, on the lines of which this present Bill has been drawn up. It is very difficult to enumerate all the difficulties that arose out of that Proclamation. The passage of this Bill and its being placed on the Statute Book will have the effect of the tenants enjoying all the income from the land without the least care or anxiety to pay the land owner who is barred from seeking his remedies in Courts of law. What an unholy state of affairs! One can understand the anxiety on the part of the public to help the tenant but such help should not in any way work havoc on the interests of the landowners. The money lenders will also be in a pitiable position as far as their dealings with the agriculturists are concerned. The agriculturists can take shelter under the provisions of the Bill and refuse to pay even a single pie to his creditor who cannot seek the aid of the court to realise his dues. The creditor lends his

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money with a view to get a return on which he has to subsist and if the returns of his investments are not forthcoming regularly and if the courts of law in the State do not help him to realise his returns, then the time will not be far off when he will become a debtor in turn. One can understand if some check is placed on the creditor from taking undue advantage of the helpless condition of the agriculturist debtor but to ask and help the debtor in not paying even a single pie to his creditor is surely to invite ruin and misery and to convert the debtor into a creditor and vice versa. Again the definition of the term 'agriculturist' leads us to further confusion. There have been instances where even the labouring classes have been included in that term. Our country being accepted as an essentially agriculturist land where the normal activities of more than 90 per cent of the population are concentrated on agriculture, the provisions of this Bill will apply to all subjects of His Highness. It has brought untold miseries on land owners and it should not again be repeated if we are to take a lesson from past experience. The landowner will not get his pattom from the tenant and the creditor will not get his returns properly if this Bill is allowed to become law and it is needless for me to say how the credit of this land of ours will be sorely and adversely affected if that state of affair is ever to come about. These have been the main considerations based on previous experience that have weighed with me in opposing the introduction of this Bill and I appeal to the Hon'ble Members of this House to see with me about the possible mischief that this Bill is capable of making and reject it even at its very first stage.

Mr. K. Ashtamoorthi Nambudiripad.—Sir, I rise to oppose this Bill.

The Proclamation of 13th Karkitagom 1110 has not done any real benefit to the agriculturists. On the other hand it has done great harm. On the 13th of Makaram last thousands of execution petitions were put in simultaneously in the different courts of the State. Demands on the agriculturists became all the more heavier and consequently they found it all the more difficult to pay the debt.

Poor creditors who are not agriculturists are adversely affected by this bill. There are a large number of such creditors probably as large as the agriculturists themselves. Agriculturists themselves who are creditors will find it very difficult to get back their money. They have to pay the land revenue, interests on agricultural loans, interest on the Land Mortgage

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Bank loans and dues to the Devaswom Department. If the Government is going to accept the principle of this Bill they must be prepared to stay execution under the Revenue Recovery Regulation. It logically follows that they should not collect land revenue or the Devaswom dues for one year.

It will dry up the source of credit. By extending it for one more year the debtors will find it all the more difficult at the end of the year to get loans from the Land Mortgage Bank or from any other source because their debt also is increasing.

Those who desire to help the poor agriculturist debts should instead of pressing for a Moratorium as contemplated by the Hon'ble mover of this Bill, should press upon the Government for a scheme substantially as follows:— Courts of Law should be directed to give instalment decrees wherever asked for. According to the Civil Procedure Code now in vogue instalment decrees cannot be granted in the case of mortgage suits. There is no reason why instalment decrees should not be granted in mortgage suits. At least during the depression it should be granted. I would even go one step further and say that if a debtor tenders a small per cent of the debt and offers to save him wherever necessary by acknowledgment or otherwise, the creditors should be directed not to file suits but to wait and realise their dues in instalments. If in spite of this tender suits are filed such creditors should be refused their costs. The practice of compelling judgment debtors to pay heavy day costs to get adjournments of sales is working a real hardship and should be stopped. Unscrupulous decree-holders after receiving a portion of the decree debt and day costs proclaim again the very next day. The execution costs are thereby swelled out of all proportions to the original debt. This practice also should be discontinued. Those who know anything about the condition of our country and the practices of our courts will I am sure agree with me that relief along the lines suggested above will do more good than the moratorium contemplated in the Bill.

My suggestions will not amount to scaling down of debts or inflation of land values so long as Government and the people are not for such drastic steps. I submit that these are the lines along with real relief could be granted. But it is difficult to understand what is really contemplated by the Bill. The Bill was introduced about six months ago with the prayer for moratorium for one year. The demand for the moratorium

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is still there even after six months for the same period of one year. I believe it will be clear from this that a moratorium for one year will not satisfy the mover. I therefore enter my emphatic protest against this Bill and request the Hon'ble Mover to withdraw this Bill.

* മിസ്റ്റർ ടി. കെ. നായർ — സർ, ഞാൻ ഈ ബില്ലിന്റെ തത്വത്തോടുകൂടി അനുകൂലിക്കുന്നു. ഈ ബിൽ നു മാസം മുമ്പു് ഈ നിയമസഭയിൽ അവതരിപ്പിച്ചിട്ടുണ്ടു്. സാമ്പത്തികാധഃപതനത്തിനു നിവാരണമായി എന്തെങ്കിലും ഗവമ്മെൻറു പ്രവൃത്തിക്കണമെന്നു മൂന്നോ നാലോ സംവത്സരങ്ങളായി ഈ നിയമസഭയിൽ മുറവിളികൂട്ടിത്തുടങ്ങിയിട്ടു്. ഇതിനു എങ്ങിനെയാണു പ്രവൃത്തിക്കേണ്ടതു് എന്നു് അന്നത്തെ ഗവമ്മെൻറു ഞങ്ങളോടു ആവശ്യപ്പെടുകയും അതനുസരിച്ചു് ഞങ്ങൾ അടുത്ത സഭയിൽതന്നെ മൂന്നോ നാലോ പ്രമേയങ്ങൾ അവതരിപ്പിക്കുകയും ഉണ്ടായി. അതിൽ ഒന്നു് ഒരു ജനറൽ മോറട്ടോറിയം ഡിക്ലെയർ ചെയ്യണമെന്നാണു്. പിന്നെ ഒന്നു് ഒരു ലാൻറു മോർട്ടഗേജു ബാങ്കു സ്ഥാപിക്കണമെന്നാണു്. മൂന്നാമത്തേതു് ഒരു ഡെറ്റു കൺസിലിയേഷൻ ബോർഡു സ്ഥാപിക്കണമെന്നാണു്. ഞങ്ങളുടെ അറിവിൽ പെട്ടിടത്തോളം ഇങ്ങിനെ മൂന്നു വഴികൾ ഇവിടെ പറയുകയല്ലാതെ യാതൊന്നും പ്രവൃത്തിച്ചിട്ടില്ല. എന്നാൽ ഗവമ്മെൻറു നു മാസത്തേക്കു മോറട്ടോറിയം ഡിക്ലെയർ ചെയ്തു. എന്താവശ്യത്തിന്നാണു് ഗവമ്മെൻറു് ഈ മോറട്ടോറിയം ഡിക്ലെയർ ചെയ്തതു് എന്നു ഞാൻ ചോദിക്കുന്നു. ഈ ചോദ്യത്തിന്നു് ഗവമ്മെൻറു മറുപടി പറയുകയാണെങ്കിൽ എന്റെ തത്വം ഗവമ്മെൻറു സമ്മതിക്കാതെ നിവൃത്തിയില്ല. മോറട്ടോറിയം ഡിക്ലെയർ ചെയ്തതുകൊണ്ടു് കടം കൊടുക്കുവാൻ സാധിക്കാത്ത ഒരു സംരംഭം കൊച്ചീരാജ്യത്തുവന്നു എന്നു ഗവമ്മെൻറു സമ്മതിച്ചുകഴിഞ്ഞു. ഈവക സംഗതികളൊന്നും ആലോചിക്കാതെ നു മാസക്കാലത്തേക്കുമാത്രം ഒരു മോറട്ടോറിയം ഡിക്ലെയർചെയ്തതു് എന്തു മനസ്ഥിതിവച്ചുകൊണ്ടാണെന്നു് എനിക്കറിഞ്ഞുകൂടാ. ഗവമ്മെൻറിൽനിന്നും ലാൻറു മോർട്ടഗേജു ബാങ്കു സ്ഥാപിച്ചിട്ടു് ഇതേവരെയും അതിൽനിന്നും ഒരു പൈപോലും ഒരാൾക്കും കൊടുത്തിട്ടില്ലെന്നു പല പ്രാവശ്യവും ഗവമ്മെൻറിൽനിന്നുതന്നെ സമ്മതിച്ചിട്ടുണ്ടു്. ആ സ്ഥിതിക്കു നു മാസക്കാലത്തേക്കു ഗവമ്മെൻറു മോറട്ടോറിയം ഡിക്ലെയർ ചെയ്തതുതന്നെ ഗവമ്മെൻറിന്നു് പറ്റിയ വലിയ ഒരബദ്ധമാണു്. ഇതുകൊണ്ടു് എന്തു രക്ഷയാണു ജനങ്ങൾക്കുണ്ടാകുന്നതു്? ഈ ബില്ലിവിടെ ഞങ്ങൾ പ്രസ്സുചെയ്താലും ശരി, ഇല്ലെങ്കിലും ശരി ഗവമ്മെൻറിനു് ഇതിൽ എന്തെങ്കിലും ചെയ്യേണ്ട ചുമതലയുണ്ടു്. ബഹുമാനപ്പെട്ട ഗവമ്മെൻറു സിക്രട്ടറി പറയുകയുണ്ടായി കോടതികൾക്കു സർക്കുലർ കൊടുത്തിട്ടുണ്ടു് എന്നു്. ഇതിന്റെ സാരമെന്താണു്? ഗവമ്മെൻറു് എന്തെങ്കിലും നിർബ്ബന്ധം ചെയ്തിട്ട

* Speech not corrected by the Hon'ble Member.

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ണ്ടോ? ഇല്ല. അനുഭവത്തിൽ, ഈ സക്കുലർ പലതും ഗുണത്തിൽ വരുന്നുണ്ടെന്നു ഗവമ്മെൻറു ധരിക്കുന്നുണ്ടെങ്കിൽ അതു അബദ്ധമാണു്.

എനിക്കു കോടതിയിൽ അധികം പരിചയമില്ലെങ്കിലും യാതൊരു രക്ഷയും കിട്ടാത്ത അനുഭവം എനിക്കുണ്ടു്. ഒരു സമയം കോടതിയിൽ നിന്നും യാതൊരു രക്ഷയും കിട്ടുവാൻ അർഹന്മാരല്ലായിരിക്കാം. ഏതെങ്കിലും വിധത്തിൽ ഒരു രക്ഷചെയ്യണമെന്നോ ഗവമ്മെൻറിനെ ധരിപ്പിക്കുവാനുള്ളൂ. പിന്നെ ഡെറുകൺസിലിയേഷൻ ബോർഡു വഴിയ്ക്കു ഗവമ്മെൻറിൽനിന്നു് എന്തെങ്കിലും രക്ഷചെയ്യുതരണമെന്നുണ്ടെങ്കിൽ അതിലും ആകാം. ഏതെങ്കിലും തരത്തിൽ ജനങ്ങൾക്കു വല്ല രക്ഷയും ഉണ്ടാക്കികൊടുക്കണമെന്നു അടിസ്ഥാനതത്വമാണു് ഇതിൽ കിടക്കുന്നതു്. ഇതെല്ലാം ഗവമ്മെൻറിനു് നിയമരൂപത്തിൽ വരുത്തണമെന്നുണ്ടെങ്കിൽ അതിനു വളരെ കാലതാമസംവരും. ഇതിൻെറ ഉദ്ദേശം അതല്ല. അതുകൊണ്ടു ഈ സംഗതിയിൽ ഉടനെ എന്തെങ്കിലും ഒരു നിവാരണമുണ്ടാക്കികൊടുക്കണമെന്നു ഞാൻ ഗവമ്മെൻറിനോടു് അപേക്ഷിക്കുന്നു.

മിസ്റ്റർ കെ. അയ്യപ്പൻ.— സർ, ഞാനും ഇതിനോടു യോജിക്കുന്നു. ഇതുകൊണ്ടു ആർക്കും ഒരു കുഴപ്പവും വരാനില്ല. ഈ മാസത്തേക്കു ഗവമ്മെൻറു മോറട്ടോറിയം പാസ്സാക്കിയതുകൊണ്ടു് കടക്കാർക്കു എത്രത്തോളം രക്ഷയായിട്ടുണ്ടു്. അതുകൊണ്ടു കടംകൊടുത്തവർക്കു് ഒരു അപത്തും വന്നതായി അനുഭവം ഇല്ലതാനും. കോടതികളുടെ യുക്തം എന്നു ഈ കായ്വും വിടുന്നതുകൊണ്ടു് ഉദ്ദേശം സാധിക്കുമെന്നു തോന്നുന്നില്ല. ചില കോടതികൾ മനഃപൂർവ്വം കടക്കാരോടു നിഷ്ഠുരകമായി പെരുമാറുന്നുണ്ടു്.

നിയമത്തിൻെറ കായ്വും പറഞ്ഞു വാദിക്കുകയാണെങ്കിൽ, ഒരു നിയമനിർമ്മാണംകൊണ്ടു മറു നിയമങ്ങളിൽ ചില മാറ്റം വരുത്തേണ്ടതായി വരുമെങ്കിൽ അതും ഗവമ്മെൻറു ചെയ്യേണ്ടതാണു്. മഹാരാജാവു തിരുമനസ്സിലേയ്ക്കു് ഏതു നിയമം മാറ്റാനും അധികാരമുണ്ടു്. ഇതുകൊണ്ടു കടത്തിനു കുറവു വരുന്നില്ല. കുറെ കാലതാമസം വരുന്നു എന്നേയുള്ളൂ. അതുകൊണ്ടു ഗവമ്മെൻറു ഉടയവായി ആലോചിച്ചു് ഏതെല്ലാം രക്ഷചെയ്തുകൊടുക്കാമോ അതെല്ലാം ചെയ്തുകൊടുക്കണമെന്നാണു ഞാൻ അപേക്ഷിക്കുന്നതു്.

Mr. A. Sankara Menon.—Sir, I regret I have to oppose this motion. I think if this legislation is passed the effect would not be what is intended but just the opposite. If the debtors are allowed to pay nothing for one year it will only make their position worse and make the position of the creditors also worse. What did happen when the Government declared a moratorium for some months? Not a single debtor paid anything during that period so far as my knowledge goes.

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With regard to the circular issued by the Chief Court to the subordinate courts, there can only be one answer and that is they have followed the instructions given by the Chief Court in almost all cases. There is only one single instance cited in which a Munsiff refused to give an adjournment. The exception proves the rule. The circumstances of that case we are not aware of. There may be special reasons connected with the case which induced the court to conduct the sale. The circumstances under which time was not allowed should be examined before the House can conclude that the subordinate courts do not give full effect to the circular. Such being the case we cannot say that the Chief Court circular is not followed by the subordinate courts. So far as my experience goes I can assert that this circular is given effect to as far as it is in anyway possible to do so. Then what would be the effect of this moratorium being introduced in the way in which the Bill wants—that is without any provision for any payment being compulsory on the part of the debtors?

Let us look at another matter. Who are the debtors and who are the creditors? Both are agriculturists and debtor agriculturists are to be protected against creditor agriculturists. Should we not know the relative position of the creditor and the debtor? It may be that the debtor is in a better position than the creditor. In that case why should protection be given to the judgment-debtor at the cost of the decree-holder?

So far as matters now stand I am strongly of opinion that this bill should not be accepted.

* **Dr. A. R. Menon.**—Sir, while I get up to support this Bill I must confess to the House that I do not pretend to know the various legal implications contained therein. Generally I allow myself to be influenced by the opinion of the legal members in matters of this kind and I dare say I should show great regard and great respect to the opinion expressed by no less a person than the late Government Advocate, the Deputy President of this House. But apart from this consideration there are general considerations, considerations of a general character, which can be understood by everyone. One thing that is understood by all, men, women and even children, is that there is such a depression in this land—as is the case all the world over—that some amelioration must be accorded to the people. (Hear, hear). It is the first principle of medical practice that where no life could be saved at least relief must be given.

* Speech not corrected by the Hon'ble Member.

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If you find that you cannot save the life of your peasantry it is your duty to render that help which will give them at least relief, temporary relief it may be. What does this Bill ask for?I am not going to enter into the provisions of the Bill. I will only confine myself to one case and that is this Bill must be given operation for a period of one year. As the Leader of the Independent Party said, your giving a partial moratorium for 6 months has not brought down the banks and has not brought down jenmies. Whatever they have suffered, they have suffered in common with their brethren, with their tenants and their workmen. Does not the House realise that elementary spirit of progress in this land demanding the right that full value of the work should be given to the worker and that he is not going to allow any more anybody to enjoy the fruits of his labour? At such a time is it the proper thing for this House simply to point out difficulties of inaugurating a measure? Nobody in this House will be foolish enough to suppose that these emotions that subject every land from one end to another shall not cross the Shornur River to this State. Realising that, is it not the duty of this House to take into consideration these facts and make provision to give some aid to the creditors instead of simply listening to the complaints of bankers and landlords? I do not think the landlords as a class will come to this House and say that such a relief should not be given to these poor people. The only people who would object to this are the money-lenders, because the money lenders are the only people who have enriched themselves from this general depression. Sir, do you realise your action in not even giving that demand of this House, i. e., 12½ per cent remission in land revenue? That Government has no right to plead on behalf of the jenmies. Sir, you ought to have reduced your salaries by 25 per cent. I say that one rupee now is equal to two rupees 15 years ago. If your salaries are cut down by 50 per cent you are still better off than the general population from the sweat of whose brows you draw these large amounts. I am very much disappointed, Sir, that while the land revenue remission was discontinued there was no cut in the salaries of the Government servants. Considering all these things, whatever may be your difficulties, you must give them some relief. If you do not do that, there will be greater trouble, there will be greater depression, greater hardship and why do you want to rule a country of paupers? Give them some relief. And what is this relief? People who are not in a position to pay off their debts should be given some time. It is a great relief to

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know that he will not be molested by the bankers, money-lenders and Hundi merchants.

Sir, you remember I did not support this motion on a previous occasion because I was under the impressson that the Land Mortgage Bank or the Bills enumerated by the Law Member would find their way into the Statute Book. I have now found out that none of them has found its way nor are they likely to find its way in the very near future. Sir, one year is the least period that you would require for the enactment and for bringing into action these enactments. Therefore, one year's relief must be given. Some of the debtors may be in a position to give. But a large number of the debtors will get relief by this. It is the principle that if by cutting off a limb the body could be saved the limb must be cut off. If by cutting off the limb, i. e., the landlords and moneylenders you can save the body, the peasantry of the State, it is your duty to do se. It is admitted on all hands that 90 per cent of the people of Cochin are Agriculturists and if, as the Deputy President observed, they are both creditors and debtors, I am asking how is this going to affect them? The debtor shall not be compelled to pay. Therefore, the creditor does not require the money to be paid by him. If you say there is only a minority then the position is different. When you say that 90 per cent are agriculturists it is practically a moratorium binding the whole population. But if it is not a partial measure like that and if you enact a general moratorium I think your position is unassailable. In the history of every nation bills of this sort and moratoriums are being passed and I can give you any number of instances. Nobody passed such a bill for the fun of it, for the pleasure of it, for giving some work to legal men, to quibble about these things. It is only when absolute necessity arises that a bill of this nature is introdnced and I honestly upon my conscience think so. As I said it is pitiable in the State that such time has to go just to relieve these suffering men. It goes little to their credit irrespective of any consideration, to render that help to the suffering peasantry upon whom the State rests for its very existence. For the general reasons stated above and having regard to the urgency of the matter I have great pleasure in supporting this Bill though it is imperfectly worded.

Mr. M. V. Cherian.—Sir, this Bill or a general moratorium for a period of one year to give relief to the peasantry will be most proper especially in view of the circumstance

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that the Land Mortgage Bank and the Debt Conciliation Board are not brought into force. Now it is only for one year that we want this remedy (Hear, hear). The Deputy President was remarking that the circular is working very satisfactorily. As a matter of fact to the vakil classes this moratoriun or this bill will be a great hardship (Laughter). Because for one appearance in the District Court Rs. 10 as costs are given to the Vakil. One adjournment means some little money to the decreeholder, Rs. 10 to the pocket of the vakil (hear, hear) and in the Munsiff's court some little money to the decree holder and Rs. 5 to the vakil. Therefore in a decree for Rs. 100 the poor judgment debtor must have sought for six or seven adjournments, all these in a year or two; this means at least Rs. 30 as fees to the vakil and some Rs. 30 for other expenses. Sir, the man is unable to pay the decree debt of Rs. 100. He will bring Rs. 10 altogether at one time and pay up Rs. 5 towards the decree debt and the balance to the vakil as costs. By such means he will be getting adjournments for one year but in the meanwhile he might have paid Rs. 30 as costs to the vakil but nothing tangible towards decree amount. Then so far as this circular is concerned, as the Deputy President said, judicial officers are enforcing the circular properly but there is very little payment towards the decree amount. But for adjournments costs will have to be paid.

Then the Debt Conciliation Board and the Land Mortgage bank will come into operation only within one year. Those properties already proclaimed for sale will be knocked down for the decretal amount if the party is unable to pay anything substantially towards the decree. These people have to be saved, because they are people with properties and they are unable to pay the debt. They should be given some relief. It is only in that way that I support this Bill.

Another thing is the new C. P. C. will come into operation very shortly. Previous to this the decree holders were in a position to give time say two years and three years and four years in the matter of the execution of the decree. But according to the new C. P. C. as soon as the attachment is taken, within two months the execution petition has to be put in, otherwise the attachment goes and so when once the execution is put in it will be vigorously pressed. So it comes to this. Either the property will have to be sold or the decree holder will have to give up the decree. Sir, therefore owing to the introduction of the new C. P. C. this bill or some general moratorium is I think highly necessary. Then so far as the Land

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Mortgage Bank is concerned, if a proclamation is issued that any party who takes some shares in the Land Montgage Bank, is entitled to get adjournment on production of that share certificate, without payment of costs, it will be a great blessing.

മിസ്റ്റർ വി. എസ്സ്. കൃഷ്ണൻ വൈദ്യർ.— സർ, ഞാൻ ഇക്കാര്യത്തിൽ രണ്ടു വാക്കു മാത്രമേ പറയുവാൻ വിചാരിക്കുന്നുള്ളൂ. കഷ്ടകാര്യമായ ഈ കൊച്ചു കൊച്ചിയിൽ നിവസിക്കുന്നവർ ഏകദേശം കോടിയോളം വരുന്ന ജനസംഖ്യയുണ്ടെന്നാണ് എനിക്കു തോന്നുന്നത്. അതിൽ ഏകദേശം കോടിയോളം വരുന്ന ജനങ്ങൾ വളരെ കഷ്ടപ്പെടുന്നവരും പട്ടിണിക്കാരും കടങ്ങളിൽപ്പെട്ട നട്ടംതിരിയുന്നവരുമാണെന്നുള്ളതിനു സംശയമില്ല. അതിൽ അധികൃതർ തൊഴിലില്ലാത്തവരും ഭക്ഷണത്തിനില്ലാത്തവരും ഉടുക്കുവാൻ വസ്ത്രവും കിടക്കുവാൻ പുരയും കൂടിക്കുവാൻ വെള്ളവുംകൂടി ലഭിക്കാത്തവരുമാണ്. അതുകൊണ്ടുകഷ്ടകരായ ഞങ്ങളെ കഴിയുന്നതും വേഗത്തിൽ രക്ഷിക്കേണ്ടതു് ബഹുമാനപ്പെട്ട ഗവൺമെൻറിന്റെ ചുമതലയാകുന്നു. ഇക്കാര്യത്തിൽ ഗവൺമെൻറു വേണ്ടതു പ്രവൃത്തിച്ചു തരുന്നതിനു ശുപാർശ ചെയ്യുകയും ഈ ബില്ലിനോടു യോജിക്കുകയും ചെയ്യുന്നു.

Mr. K. M. Kunhi Moideen.—Sir I move for a closure of the discussion on this matter.

Mr. K. M. Ibrahim.—I beg to second it.

Motion was put and carried.

Mr. K. Achyuta Menon.—Mr. President, Sir. It is very easy to recognise the seriousness of the problem as well as the transparent sincerity or conviction with which it was supported in this House. But I think it is necessary to formulate the precise point at issue so that we may resist the temptation to be side-tracked into issues which have no relevancy to the question under discussion. The question is whether on decrees against agriculturists or on others what ever be their position, the sale of their properties for the decree debt should be stayed for a period of one year irrespective of their capacity to pay or their willingness to pay. That, put in short terms, is the question. Now I ask is the situation so desparate, that the agriculturist, whatever be his immediate needs and position in life, whatever may be the nature of the decree obtained against him, whatever be his ability to pay, should be given a temporary relief for a period of one year. From the very statement of the case it can be seen that it is an extraordinary remedy. Extraordinary measures are resorted to only on extraordinary occasions and when there are no other remedies available.

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Mr. T. K. Nayar.—You do not think it is an extraordinary circumstance that has arisen now.

Mr. K. Achyuta Menon.—I am coming to that presently. The remedy proposed is certainly desparate and the only questien is whether any such situation has arisen now, that such a desparate remedy should be taken by Government; that is the precise point before the House. I will just recapitulate what the Government has done on this matter so far, because it will lead up to the arguments that I am going to advance.

Mr. K. M. Kunhi Moideen.—May I know whether any payment has been made at all by the agriculturists?

Mr. K. Achyuta Menon.—Leave alone the point whether payments have been made. We are on an abstract question i. e., whether it is only a money decree, whether it is a decree charged on immoveable property, and whether the creditor is really wealthy or not, quite irrespective of those considerations a moratorium should be declared. The question is whether moratorium, an extraordinary legistation should be enacted to bring about that result, to meet a situation which is alleged to be desparate. When the Government found that the full blast of the depression began to be felt by the agriculturists, they rushed up to the rescue of the agriculturists. They first gave instructions through the highest court of the land to give time, indulgence and facilities to agricultural debtors in the State to pay so that their properties may not be knocked down by the creditors. That was done and a detailed circular was issued by the Chief Court. We have not heard any complaint so far that the circular was ineffective.

Mr. K. M. Ibrahim.—In spite of that circular there had been a large number of sales. And there have also been complaints.

Mr. K. Achyuta Menon.—The complaint comes only now; and even now it is not stated that there had been an increase in the sales in spite of the circular.

Government did not stop there. They started the Special Loan Scheme which was intended to give easy credit to agriculturist debtors on easy terms. The scheme was put into force but certain defects were found in its working in certain matters. A scheme of larger amplitude was then resorted to, to supply the agriculturists with easy credit. That was the inauguration of the Land Mortgage Bank. Hon'ble Members of this House

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and discerning critics inside and outside the State said that until the time that scheme was put into actual working order, it was necessary to give some relief to the agriculturists, beyond the operation of the Chief Court Circular and that at least for a period of one year some drastic measure should be brought into force. Now the Government came to the rescue with a Proclamation. It is not correct to say that the Government did not then realise or recognise that it is not the usual method, the normal method, to help the agriculturists. But the Government out of deference to the wishes of the House and in view of the serious situation prevailing, thought a stay of execution of all decrees of whatever kind for a period of six months might afford some relief and they expected that it would not work much appreciable harm. But the Government have never forgotton that a moratorium is a piece of extraordinary legislation to be resorted to only sparingly and with circumspection.

Dr. A. R. Menon.—Did much harm happen as a result of that suspension for six months?

Mr. K. Achyuta Menon.—There were loud complaints. Some of those complaints were rather serious. I will refer to the nature of complaints presently.

Mr. K. M. Ibrahim.—But the moratorium did not prohibit payment.

Mr. K. Achyuta Menon.—Such of them that can pay never raised a complaint; such of them who could not pay never paid anything. Those who were utterly indifferent whether the moratorium is passed or not did not complain. Those who were willing to pay were not certainly concerned whether the moratorium was passed or not. The point is the remedy was drastic. A moratorium is a legislative sanction not to pay. Now the Hon'ble members would certainly agree with me that the heroic expedient of allowing debtors not to pay debts is not a solution of the depression at all.

മിസ്റ്റർ ടി. കെ. നായർ.— ആറുമാസത്തേക്കു മോറട്ടോറിയം ഡിക്ലെയർ ചെയ്യുവസരത്തിൽ വേറെ വല്ലതെങ്കിലും ഒരേർപ്പാടു ചെയ്യുവാൻ ഗവണ്മെണ്ടിന് ഉദ്ദേശമുണ്ടായിരുന്നുവോ?

Mr. K. Achyutha Menon.—Precisely so. The question narrows itself to that. It was a valid argument that the time fixed is not adequate and that the scheme the Government had

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in contemplation has not matured and therefore the extra-ordinary remedy should again be resorted to. The next question is, is the scheme now in working order. I submit that all honest persons can take advantage of it. The Chief Court circular is there and they could give an adjournment of sales and that would adequately meet the situation.

മിസ്റ്റർ ടി. കെ. നായർ.— കോർട്ടിലേയ്ക്ക സർക്കുലർ അയച്ചതു മോറട്ടോറിയത്തിനു ശേഷമോ, അതിനുമുമ്പോ?

Mr. K. Achyuta Menon.—Before moratorium. I was attempting to show that a moratorium is an extraordinary remedy. The moratorium sanctions non-payment of debts. It must necessarily be limited in duration or otherwise it ceases to be a moratorium. You cannot give permanency to it by the expedient of the promulgation of a moratorium at stated intervals. Such extensions cannot be thought of.

Mr. T. K. Nayar.—Even a moratorium could not be proclaimed.

Mr. K. Achyuta Menon.—It is a last resort for any civilised Government. My next point is that the moratorium is generally declared by all Governments only as a temporary measure. I will challenge the Hon'ble Member to prove a single case where a moratorium has been prolonged by any Government in the fashion as is wanted now. But even supposing it is absolutely necessary the question is whether that extraordinary step should be taken by the Government in the face of certain other schemes which have come into operation. Now there is the Land Mortgage Bank. It has been put into working order. It is to provide facilities for those over whom decress have been obtained. Those fall into two classes.

Dr. A. R. Menon.—What do you mean by functioning?

Mr. K. Achyuta Menon.—It is ready now to issue loans.

മിസ്റ്റർ ടി. കെ. നായർ.— ലാൻഡ്മോർട്ടഗേജ് ബാങ്കുകൊണ്ട് എതുകണ്ടു നാട്ടുകാക്ക രക്ഷകിട്ടും എന്നറിഞ്ഞിട്ടാണോ മോറട്ടോറിയം ആറുമാസത്തേയ്ക്ക നിശ്ചയിച്ചതു?

Mr. K. Achyuta Menon.—I am afraid that the Hon'ble Member has misunderstood my point. I am discussing conditions which exist at present.

മിസ്റ്റർ ടി. കെ. നായർ.— മോറട്ടോറിയം കഴിഞ്ഞപ്പോൾ നാട്ടുകാരുടെ കഥയെന്തായിരുന്നു?

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Mr. K. Achyuta Menon.—Now we are on the condition of the patient to-day, and not what it was six months back. The precise point now before the House is whether the moratorium should be prolonged by means of the Bill which is to be passed now. What is the situation now? Leave the question of the position six months ago. I am prepared if necessary to enter upon the condition of the agriculturists six months ago, but it will neither be profitable nor interesting. There is now the land Mortgage Bank which has come into working order. It is prepared to advance loans to all those who want them.

I am justified in dividing the decree debtors into two classes. Those who have properties by the help of which they will be able to secure loans from the Land Mortgage Bank and those whose properties will never be security for the loans from the Land Mortgage Bank, for whom some other method of relief has to be found out. It is for those people that the Debt Conciliation Board becomes necessary. Now take the first set of people. Suppose they apply for loans.

Dr. A. R. Menon.—Is the Land Mortgage Bank to give loans to all those who are in a position to give adequate security?

Mr. K. Achyuta Menon.—Absolutely. Land Mortgage Bank is prepared to advance loans to any extent. It is a very great concession. Have all the decree debtors who have got properties applied for loans? If they did not apply how can they ask the House to succour them?

Dr. A. R. Menon.—When we know the bitter past we know what our bitter experience is.

Mr. K. Achyuta Menon.— The Agency is there.

Dr. A. R. Menon.—From the answer given yesterday to a question it is seen that four lakhs were applied for and no loans were given.

Mr. President.—It was answered yesterday.

Mr. K. S. Manickam.—Government gave a loan of Rs. 23,800/-

Mr. K. Achyuta Menon.—We are concerned here with decree debtors who want to utilise the land Mortgage Bank. Have they applied for shares. If they have not whose fault is it?

Mr. T. K. Nayar.—It is the fault of the Bank. If it comes to the knowledge of the people that the Bank has begun issuing

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loans it will be flooded with applications. Because the general impression till now was that the Bank will not pay a single pie. Now that the loan has been disbursed the Bank will be flooded with applications within a fortnight.

Mr. K. Achyuta Menon.—The help of facts are generally calimed by both sides. Leave alone the question of facts. Therefore to those classes of debtors who can be helped by the Land Mortgage Bank the help of a moratorium is unnecessary. If they produce a certificate from the officer in charge, before the Court, the court will grant them an adjournment. That was the case when I myself was in the Special Loan Department. They used to come to me for certificates of evidence to applications for loans. A certificate from me on that application was made when produced before the court enabled them to secure adjournments. I may even say that I used to get a number of such applications. A simple reply that their applications were being considered enabled them to get adjournments in courts. To those who did not apply either because they did not want help from the Land Mortgage Bank or because they cannot give security, what can be done is the next question. Obviously to ask the creditors, in cases of debtors whose securities were not even now worth anything in the market, to wait, is not practicable. How long can they be asked to wait? It does not matter much to the debtor, for such decree bebtors have nothing to give whether the decree is executed or not executed. The position so far as they are concerned it still the same. It is here that the question of Debt Conciliation Board comes up. The Debt conciliation measure is also a drastic measure. One point even here is very clear. The Debt Conciliation Board cannot extend its operations over Court decrees. So far as I know the Debt Conciliation Board can conciliate only debts which have not ripened into decrees of courts. So what I am saying is that the consideration of the merits of the Debt Conciliation Scheme is alien to this question. Those people who are unfortunately beyond redemption are beyond redemption always. So the situation resolves into this. There is really no use of applying this heroic method of asking people not to pay in these circumstances. It merely prolongs the agony of the patient. This temporary expedient is only to keep up the life for some time more until the end comes and all the time the creditor is suffering. You are trying to transfuse new blood into the debtor but the blood is that of the creditor. The process of injection cannot go on without danger to the creditor.

Mr. K. Ayyappan.—We want to smash the whole thing.

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Mr. K. Achyuta Menon.—Another Hon'ble Member suggests a way to get over the difficulty. In one general smash the whole difficulty could be got over. That is the view point of the iconoclast and not the view of the administrator who is to look to all conflicting interests and then try to get over the difficulty. There is no difficulty for an iconoclast. He smashes everything. Unfortunately the iconoclast is seldom an administrator. A moratorium may be effective but it can be continued only when a strong case is pointed out for its continuance.

Mr. K. M. Ibrahim.—The Chief Court circular is not found satisfactory.

Mr. K. Achyuta Menon.—To my knowledge there were many adjournments by the lower courts. Am I to take that if steps are taken that the spirit of the circular is adhered by the lower Courts, the member would be satisfied? Then on the point of costs for the adjournment of sale, the position is that the debtor has to pay Rs. 10, if it is in the District Court and Rs. 5 if it is in the lower courts. Costs are always left to the discretion of courts.

Mr. President.—I think the court has got discretion in fixing the fees. What I was thinking all the while was that without violently interfering with the existing scheme of things, suppose we suggest to the Chief Court that they should keep a watch over the manner in which the circular is being put into practice by the subordinate courts so that they might call for a departmental statement of the cases in which in spite of payment of a moiety, i. e., a portion of the debt, the subordinate court did not give adjournment, in such cases to state the reason and thereby indirectly exercise and check the subordinate courts. Government can ask the Chief Court to exercise greater discretion in giving costs. I am sure a circular like that will meet the situation. It would be adequate.

Mr. P. Kumaran Ezhuthassan.—Since the Land Mortgage Bank has begun to issue loans, application will be made to the Bank and so some relief could be given.

Mr. K. M. Kunhi Moideen.—In the circular there are no definite instructions. It is as vague as anything. That is the trouble.

Mr. K. M. Ibrahim.—One thing about the circular is that some payment has to be made for an adjournment. For a moratorium no such payment is necessary.

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Mr. President.—But a number of Hon'ble Members are agreed on the question that if a debtor has made some payment he must be given time.

Mr. A. V. Moothedan.—It is always uncertain whether an adjournment will be given if a certain amount is paid. Much is left to the discretion of the presiding officer. It is to remove that uncertainty that we want this Bill.

Mr. K. M. Ibrahim.—Sir, I press this motion to a division.

Motion was put and carried.

Mr. K. M Ibrahim.—I request the Chair to kindly suspend S. O. 32 and allow me to move it for consideration of the House.

Mr. President.—It would not be proper to give that.

Secretary to the Council.—The title of the Bill is "the Cochin Agriculturists' Temporary Relief Bill".

The House rose for lunch at 1 p. m. and re-assembled at 2-15 p. m. with the Deputy President (M. R. Ry. A. Sankara Menon. Avl., B A. & B. L.) in the Chair.

Amendment to S. O. No. 12.

Mr. V. K. Krishnankutty.—Sir, I move for leave to introduce the following amendment to the Standing Orders:—

"After section 12 and before section 13 insert the following:—

Section 12-A. A member desiring to give preference to a question or questions to be sent by him shall be entitled to make an asterisk mark against such question or questions and such 'starred' questions shall be answered during the particular session for which they are sent provided the number of such starred questions sent by a member for a particular session shall not exceed the number of days in that session ".

Explanation seems to be superfluous in this matter. It is common experience that when a number of questions are sent to the council and the whole number of questions cannot be answered during that particular session, a certain number will have to be postponed for a future session and naturally enough the less easy or the more irksome will be postponed for a future date. Eventually what happens is that that most irksome questions will be allowed to lapse. In order to avoid such a

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